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NOV 29 2007

Patent application 09/892,351  
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29 Nov' 2007

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To the Commissioner for Patents.

Please accept this RCE 1.114 submission for patent application 09/892,351 to include correspondence of:  
18 Oct' 07 filed 24 Oct 07' and 18 May 07 filed 25 May 07 and 11 May 07 filed 16 May 07.  
Could the area code for the service address be corrected to 90232 as above.  
The transmittals for the RCE and a one month extension were mailed separately.

The advisory action of 8 Nov' 07 objected to amended claim 53b filed 24 Oct' as it raised new issues. However, the amendments were made to adopt the examiners suggestions and comply with requirements of his 31 July final action.  
I have fully addressed the objections of the 31 July final action in my reply filed 24 Oct 07'

Concerning reply to the action of 8 Nov' 07:

Item 1 of page 2 of the 31 July action required the inclusion of a citation from (0009) in the specification:

"Regarding the referred paragraph (0009) of the application, the applicant seems to argue the difference between the specification and the prior arts. However, the argued citations of the specification are not included in the claim. Thus, the examiner will not be able to interpret the claims..."

Accordingly 'broad spectrum' from (0009) was added to comply.

Item 5 of page 4 of the 31 July action required "...re-establish contrasts of said color records..." to be removed from claim 53.

Item 7 of page 5 of the 31 July action questioned the meaning of "...from within color channel allocations..."

This was re-explained (see my reply filed 16 May, page 1 item 4-7, in response to 3 April action, item 7 page 3.) and was removed to avoid further objection.

Thus claim 53b was amended:

effecting selective color treatment to color records within said image pair to ~~re-establish contrasts of said color records for~~ enable an anaglyphic perception of a of broad spectrum contrast balance between said image pair, ~~from within color channel allocations;~~

Claim 53b then reads:

effecting selective color treatment to color records within said image pair to enable an anaglyphic perception of broad spectrum contrast balance between said image pair.

Yet the examiners advisory action of 8 Nov' 07 objects to the amendment 'broad spectrum' from (0009) that was added to comply with Item 1 of page 2 of his 31 July action.  
Phone contact 20 Nov' filed 26 Nov' with the examiner failed to establish sense of this matter.

The inclusion of 'broad spectrum' was not required given that my response filed 24 Oct' was thorough in demonstrating the differentiation of my application from the cited prior art.

To re-clarify differentiation of my application with direct reference to my claim 53b:  
 6,037,971 does not make 'selective color treatment to color records within the image pair'  
 6,037,971 does not address the image pair used to make an anaglyph.  
 It removes pure color from an R/GB anaglyph made as per fig 2 via the method of fig 5, or with  
 the substitution of an image plane, see fig 6.  
 Nor is 'anaglyphic contrast balance enabled' with 6,037,971 as is detailed in my responses filed  
 16 May 07 and 24 Oct' 07 and as can be seen via supplied anaglyph viewers-artifact  
 09892351MA, at [www.acb3d.com/exam.html](http://www.acb3d.com/exam.html)

With reference to the method of 6,037,971 claim 2:

- 2a. Stereo capture of left and right video.
- 2b. The cameras each provide Red/Green/Blue image plane outputs.
- 2c. The Red image plane from one camera is combined with the Green and Blue image planes  
 from the other camera. (Resulting in a traditional R/GB anaglyph as per Figs' 2-4)
- 2d. Pixel color of the anaglyph is monitored for purity.  
 Opposing color is added to remove pure color.  
 eg. Lacking blue or green (pixel is too red) Green-blue is added.  
 eg. Lacking red or green (pixel is too blue) Red-green is added.  
 Resulting in three-dimensional color images (anaglyphs) with no pure blue or pure red pixels.

Anaglyphs require pure colors to exclusively separate the left and right views (without seeing  
 the opposing view) The viewing gel used is of a hue that matches the color channel displays.

The most obvious problem with removing pure color from an anaglyph as per 6,037,971  
 claim 2, is with color fringe (pure in color) areas in an anaglyph.  
 They should be singularly visible to one eye (due to being anaglyphically invisible to the other)  
 They are now made visible due to step 2d of 6,037,971.  
 Double imaging results because the effect of fig 5 is indiscriminate of what the pixels represent.  
 Pure colored fringe areas will be altered first.  
 Simply displaying an R/GB anaglyph on a monitor and turning down the color would be  
 preferable to the method of fig 5.

See prior correspondence on the method of Fig 5:  
 filed 24 Oct' 07: page 1 paragraphs 5-6, and page 3 paragraph 6.  
 filed 16 May 07: page 2 lines 14-18, and from page 2 line 30 - page 3 line 9.  
 filed 14 Jan 05: page 4 lines 30-36 and page 5 lines 6-26.

The other process of 6,037,971 is that of Fig 6.  
 It involves substituting a brightened Green image plane for the Red, in a Red/Green-Blue  
 anaglyph.  
 This results in an imbalance of contrasts involving contrasts of: Green Vs Green + Blue.  
 Or worse: bright Green Vs Green + Blue.

See prior correspondence on the method of Fig 6:  
 filed 24 Oct' 07: page 1 paragraphs 3-4, page 3 lines 1-6 and paragraphs 2 and 3.  
 filed 16 May 07: page 3 lines 10-15.  
 filed 14 Jan 05: page 3 paragraph 3. Last paragraph of page 4-first paragraph of page 5.

I also make petition under 37 CFR 1.144 for dependant claims 61-79 and 81-85 as filed 16 May  
 07, to be re-included upon allowance as suggested in lines 1-2 on page 3 of the restriction  
 requirement of 22 Nov' 06.

Reconsideration of the restriction requirement was requested in my response filed 26 Dec' 06 with the amendment of independent claim 67 to be reconsidered as dependant, along with its subsequent dependant claims, on claim 53.

The restricted claims 61-79 and 81-85 were cancelled 24 Oct' only in order to proceed to acceptance, in response to item 2 page 3 of the 31 July action.

The claim listing is as follows:

Claims 1-52 (cancelled)

Claims 53-60 (previously presented)

Claims 61-79 (cancelled) initially withdrawn in 3 April action.

Claim 80 (previously presented)

Claims 81-85 (cancelled) initially withdrawn in 3 April action.

Claim 86 (previously presented)

Specification supporting the claims by numbering given in the USPTO PAIR posting.

Claim 53a. (0025) (0072) (0099) (0100) (0103) (0104)

53b. (0026) (0074) (0105) to (0124) (0168) (0182) (0198)

53c. (0028) (0078) to (0080) (0137) to (0167) (0169) to (0181) (0183) (0184) (0199)

53d. (0185) to (0189)

Claim 54 (0081) (0190) to (0196) (0201) (0203)

Claim 55 (0241) to (0243)

Claim 56 (0121) to (0123)

Claim 57 (0027) (0075) (0122) (0127) to (0136)

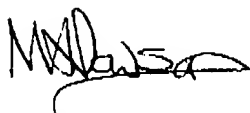
Claim 58 (0031) (0033) (0057) to (0060) (0191) (0195)

Claim 59 (0055) (0057) (0205) to (0209)

Claim 60 (0055) (0057) (0205) to (0209)

Claim 80 (0020) (0088) (0371) to (0382)

Claim 86 (0183)



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